

HOUSE BILL 568

G1

6lr0897

By: **Delegates Behler, Lehman, Acevero, Allen, Charkoudian, Feldmark, Lewis, Ruth, Stewart, Terrasa, Vogel, and Woorman**

Introduced and read first time: January 28, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **Public Financing Act – State Senate and House of Delegates Candidates**

3 FOR the purpose of adding candidates for State Senator and member of the House of
4 Delegates to the candidates authorized to receive public contributions from the Fair
5 Campaign Financing Fund; establishing qualifications that a candidate for State
6 Senator or member of the House of Delegates must meet to qualify as an eligible
7 candidate to receive public contributions from the Fund; requiring the State Board
8 of Elections to distribute public contributions to certain candidates for State Senator
9 or member of the House of Delegates from the Fund during the distribution period
10 in a certain manner; establishing certain limits on the total public contribution
11 payable to eligible candidates for State Senator or member of the House of Delegates
12 for certain elections; and generally relating to the Public Financing Act.

13 BY repealing and reenacting, with amendments,

14 Article – Election Law

15 Section 13–235, 15–102 through 15–104, 15–106 through 15–109, 15–111, and
16 15–113(b)

17 Annotated Code of Maryland

18 (2022 Replacement Volume and 2025 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Election Law**

22 13–235.

23 (a) This section applies to the following officials:

24 (1) the Governor;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (2) the Lieutenant Governor;
- 2 (3) the Attorney General;
- 3 (4) the Comptroller;
- 4 (5) the State Treasurer; and
- 5 (6) a member of the General Assembly.

6 (b) Except as provided in subsection (c), (d), or (e) of this section, during a regular
7 session of the General Assembly an official described in subsection (a) of this section, or a
8 person acting on behalf of the official, may not, as to a candidate for federal, State, or local
9 office, or a campaign finance entity of the candidate or any other campaign finance entity
10 organized under this title and operated in coordination with a candidate:

- 11 (1) receive a contribution;
- 12 (2) conduct a fund-raising event;
- 13 (3) solicit a contribution; or
- 14 (4) deposit or use any contribution of money that was not deposited prior
15 to the session.

16 (c) An official described in subsection (a) of this section, or a person acting on
17 behalf of the official, is not subject to this section when engaged in activities solely related
18 to the official's election to an elective federal or local office for which the official is a filed
19 candidate.

20 (d) Under the Public Financing Act, a gubernatorial ticket **OR A CANDIDATE FOR**
21 **STATE SENATOR OR MEMBER OF THE HOUSE OF DELEGATES**, during the year of the
22 election only, may accept eligible private contributions and any disbursement of funds by
23 the State Board that is based on the eligible private contributions.

24 (e) An official described in subsection (a) of this section, or a person acting on
25 behalf of the official, may deposit a contribution during the legislative session if the
26 contribution was made electronically before the start of the session.

27 (f) (1) As to a violation of this section, the campaign finance entity of the
28 official in violation is liable for a civil penalty as provided in § 13-604.1 of this title.

29 (2) A civil penalty imposed under this subsection shall be distributed to the
30 Fair Campaign Financing Fund established under § 15-103 of this article.

31 15-102.

1 (a) In this title the following words have the meanings indicated.

2 (b) “Comptroller” means the Comptroller of the State.

3 (c) “Contribution card” means a document signed, including by electronic
4 signature, by a donor attesting that the contribution made to a campaign is made with the
5 personal funds of the donor.

6 (d) “Eligible [gubernatorial ticket] **CANDIDATE**” means a gubernatorial ticket,
7 **A CANDIDATE FOR STATE SENATOR, OR A CANDIDATE FOR MEMBER OF THE HOUSE**
8 **OF DELEGATES** that qualifies to receive a public contribution.

9 (e) “Eligible private contribution” means a monetary private contribution from an
10 individual who is a resident of the State that does not exceed \$250 in the aggregate for the
11 election cycle and is accompanied by a contribution card.

12 (f) “Fund” means the Fair Campaign Financing Fund.

13 (g) “Gubernatorial ticket” means a Governor–Lieutenant Governor unit.

14 (h) “Private contribution” means a contribution or series of contributions from an
15 individual that does not exceed \$250 in the aggregate for the election cycle in which the
16 contribution is made.

17 (i) “Public contribution” means money distributed from the Fund to [a
18 gubernatorial ticket] **AN ELIGIBLE CANDIDATE** under this title.

19 15–103.

20 (a) There is a Fair Campaign Financing Fund.

21 (b) The Comptroller shall administer the Fund in accordance with this section.

22 (c) In accordance with this title, the Comptroller shall:

23 (1) credit to the Fund:

24 (i) all money collected or appropriated under this title;

25 (ii) voluntary contributions to the Fund made electronically through
26 the State Board’s website;

27 (iii) fees, fines, and penalties assessed under this article or the
28 General Provisions Article that are expressly allocated to the Fund by law;

- 1 (iv) an anonymous contribution paid to the Fund under § 13–239 of
2 this article;
- 3 (v) an illegal contribution paid to the Fund under § 13–239.1 of this
4 article;
- 5 (vi) surplus campaign funds paid to the Fund under § 13–247 of this
6 article; and
- 7 (vii) contributions to the Fund made through the checkoff on the
8 individual income tax return established under § 2–113.1 of the Tax – General Article;
- 9 (2) subject to the usual investing procedures for State funds, invest the
10 money in the Fund; and
- 11 (3) make distributions from the Fund promptly on authorization by the
12 State Board.
- 13 (d) The Comptroller shall distribute public contributions:
- 14 (1) only on authorization of the State Board; and
- 15 (2) as to each eligible [gubernatorial ticket] **CANDIDATE**, to the campaign
16 account of a single campaign finance entity established under Title 13, Subtitle 2 of this
17 article to receive public contributions.
- 18 (e) The Comptroller shall submit a statement of the Fund’s balance to the State
19 Board each month.
- 20 (f) (1) On or before June 30 of the third year immediately preceding a year of
21 a gubernatorial election, the State Board shall determine whether the balance of the Fund
22 is sufficient to provide for a full contribution for:
- 23 (i) in a primary election[,]:
- 24 1. two gubernatorial tickets;
- 25 2. **47 CANDIDATES FOR STATE SENATOR; AND**
- 26 3. **141 CANDIDATES FOR MEMBER OF THE HOUSE OF**
27 **DELEGATES; and**
- 28 (ii) in a general election[,]:
- 29 1. one gubernatorial ticket;

- 1 (ii) an eligible private contribution;
- 2 (iii) a public contribution; and
- 3 (iv) subject to paragraph (2) of this subsection, a contribution or loan
4 from [a member of a gubernatorial ticket] **AN ELIGIBLE CANDIDATE** or the spouse of [a
5 member of the gubernatorial ticket] **AN ELIGIBLE CANDIDATE**.

6 (2) [A member of a gubernatorial ticket] **AN ELIGIBLE CANDIDATE** or the
7 spouse of [a member of a gubernatorial ticket] **AN ELIGIBLE CANDIDATE** may not make a
8 contribution of or lend a combined total of more than \$50,000 to the campaign of the
9 [gubernatorial ticket] **ELIGIBLE CANDIDATE**.

10 (c) To qualify as an eligible [gubernatorial ticket,] **CANDIDATE**:

11 (1) a gubernatorial ticket shall collect within the qualifying period at least:

12 [(1)] (I) 1,500 eligible private contributions; and

13 [(2)] (II) an aggregate total of \$120,000;

14 (2) **A CANDIDATE FOR STATE SENATOR SHALL COLLECT WITHIN THE**
15 **QUALIFYING PERIOD AT LEAST:**

16 (I) **250 ELIGIBLE PRIVATE CONTRIBUTIONS; AND**

17 (II) **AN AGGREGATE TOTAL OF \$15,000; AND**

18 (3) **A CANDIDATE FOR MEMBER OF THE HOUSE OF DELEGATES SHALL**
19 **COLLECT WITHIN THE QUALIFYING PERIOD AT LEAST:**

20 (I) **150 ELIGIBLE PRIVATE CONTRIBUTIONS; AND**

21 (II) **AN AGGREGATE TOTAL OF \$7,500.**

22 15–106.

23 (a) After filing a notice of intent to qualify for a public contribution under this
24 title, a gubernatorial ticket or a person acting on behalf of the gubernatorial ticket **OR A**
25 **CANDIDATE FOR STATE SENATOR OR MEMBER OF THE HOUSE OF DELEGATES OR A**
26 **PERSON ACTING ON BEHALF OF THE CANDIDATE FOR STATE SENATOR OR MEMBER**
27 **OF THE HOUSE OF DELEGATES** may not, for the benefit of any political committee or any
28 person required to register with the State Board under § 13–306 or § 13–307 of this article
29 or for a participating organization organized under § 13–309.2 of this article:

1 (1) solicit contributions, including the authorized use of the names or
2 images of the gubernatorial ticket **OR THE CANDIDATE FOR STATE SENATOR OR**
3 **MEMBER OF THE HOUSE OF DELEGATES** in the solicitation; or

4 (2) operate in coordination with any entity for fundraising activities.

5 (b) After filing a notice of intent to qualify for a public contribution under this
6 title, the members of a gubernatorial ticket **OR A CANDIDATE FOR STATE SENATOR OR**
7 **MEMBER OF THE HOUSE OF DELEGATES** may not be a member of a slate that does not
8 receive a public contribution.

9 (c) Until a final campaign finance report is filed with the State Board and any
10 remaining funds of the public contribution distributed to [a gubernatorial ticket] **AN**
11 **ELIGIBLE CANDIDATE** are repaid to the Comptroller for redeposit in the Fund in
12 accordance with § 15–109 of this title, any authorized candidate campaign committee
13 organized under Title 13 of this article on behalf of the [members of a gubernatorial ticket]
14 **ELIGIBLE CANDIDATE** may not engage in campaign finance activity.

15 15–107.

16 (a) (1) In accordance with subsection (c) of this section and regulations
17 adopted by the State Board, the State Board shall authorize distribution of money in the
18 Fund on a continuing basis **TO ELIGIBLE CANDIDATES** on certification that the
19 qualifications under § 15–104 of this title have been met.

20 (2) Distributions shall begin not earlier than January 1 of the year of the
21 election.

22 (b) If the State Board determines that there is not, or may not be, sufficient money
23 in the Fund to provide a full public contribution to all eligible [gubernatorial tickets]
24 **CANDIDATES**, the State Board shall allocate the available money so that each eligible
25 [gubernatorial ticket] **CANDIDATE** in that election receives a proportionate share of the
26 full public contribution to which the [gubernatorial ticket] **ELIGIBLE CANDIDATE**
27 otherwise would be entitled.

28 (c) (1) The State Board shall authorize distribution of the money that is
29 designated for distribution as provided in this subsection.

30 (2) The State Board shall distribute a public contribution from the Fund
31 to:

32 (I) each gubernatorial ticket during the distribution period in
33 matching dollars equal to:

34 [(i)] 1. \$8 for each dollar of an eligible private contribution
35 received for the first \$50 of each eligible private contribution;

1 [(ii)] 2. \$6 for each dollar of an eligible private contribution
2 received for the second \$50 of each eligible private contribution;

3 [(iii)] 3. \$2 for each dollar of an eligible private contribution
4 received for the third \$50 of each eligible private contribution; and

5 [(iv)] 4. \$0 for each dollar of an eligible private contribution
6 received for the remaining \$100 of each eligible private contribution; AND

7 (II) EACH CANDIDATE FOR STATE SENATOR OR MEMBER OF THE
8 HOUSE OF DELEGATES DURING THE DISTRIBUTION PERIOD IN MATCHING DOLLARS
9 EQUAL TO:

10 1. \$6 FOR EACH DOLLAR OF AN ELIGIBLE PRIVATE
11 CONTRIBUTION RECEIVED FOR THE FIRST \$50 OF EACH ELIGIBLE PRIVATE
12 CONTRIBUTION;

13 2. \$3 FOR EACH DOLLAR OF AN ELIGIBLE PRIVATE
14 CONTRIBUTION RECEIVED FOR THE SECOND \$50 OF EACH ELIGIBLE PRIVATE
15 CONTRIBUTION;

16 3. \$2 FOR EACH DOLLAR OF AN ELIGIBLE PRIVATE
17 CONTRIBUTION RECEIVED FOR THE THIRD \$50 OF EACH ELIGIBLE PRIVATE
18 CONTRIBUTION; AND

19 4. \$0 FOR EACH DOLLAR OF AN ELIGIBLE PRIVATE
20 CONTRIBUTION RECEIVED FOR THE REMAINING \$100 OF EACH ELIGIBLE PRIVATE
21 CONTRIBUTION.

22 (3) The total public contribution payable to [a gubernatorial ticket] AN
23 ELIGIBLE CANDIDATE for either a primary or general election may not exceed:

24 (I) \$3,000,000 FOR A GUBERNATORIAL TICKET;

25 (II) \$125,000 FOR A CANDIDATE FOR STATE SENATOR; AND

26 (III) \$75,000 FOR A CANDIDATE FOR MEMBER OF THE HOUSE OF
27 DELEGATES.

28 (4) The State Board may not distribute matching dollars from the Fund to
29 [a gubernatorial ticket] ELIGIBLE CANDIDATE for:

1 (i) a contribution or loans from the [gubernatorial ticket] **ELIGIBLE**
2 **CANDIDATE** or the spouse of [a member of the gubernatorial ticket] **AN ELIGIBLE**
3 **CANDIDATE**; or

4 (ii) an in-kind contribution of property, goods, or services.

5 (5) [A gubernatorial ticket] **AN ELIGIBLE CANDIDATE** that is unopposed
6 in a primary election shall receive one-third of the public contribution amount the
7 gubernatorial ticket would otherwise be entitled to receive.

8 15-108.

9 (a) [A gubernatorial ticket] **AN ELIGIBLE CANDIDATE** may withdraw from
10 participation as a publicly funded candidate at any time before a public contribution is
11 received by the [gubernatorial ticket's] **ELIGIBLE CANDIDATE'S** campaign finance entity.

12 (b) If a public contribution has been received by an eligible [gubernatorial
13 ticket's] **CANDIDATE'S** campaign finance entity, the eligible candidate may withdraw from
14 participating if the [gubernatorial ticket] **ELIGIBLE CANDIDATE**:

15 (1) files a statement of withdrawal on a form prescribed by the State Board;
16 and

17 (2) repays to the Fund the full amount of any public contribution received,
18 with interest established in regulation by the State Board.

19 15-109.

20 (a) A public contribution may be spent only:

21 (1) in accordance with § 13-218 of this article;

22 (2) to further the [gubernatorial ticket's] **ELIGIBLE CANDIDATE'S**
23 nomination or election;

24 (3) for expenses incurred not later than 45 days after the election for which
25 the public contribution was made;

26 (4) for purposes that do not violate State law; and

27 (5) for an expenditure that is accompanied by a receipt.

28 (b) An eligible [gubernatorial ticket] **CANDIDATE** may not make:

29 (1) a transfer; or

1 (2) an expenditure relating to fundraising activity by any other political
2 committee organized under this article.

3 (c) (1) Any part of a public contribution that is not spent shall be repaid to the
4 Comptroller for redeposit in the Fund not later than 90 days after the election for which
5 the public contribution was made.

6 (2) In computing whether part of a public contribution is not spent, all
7 private contributions to the [gubernatorial ticket] **ELIGIBLE CANDIDATE** shall be treated
8 as spent before the expenditure of any of the public contribution.

9 (d) The [members of a gubernatorial ticket] **ELIGIBLE CANDIDATE** and the
10 responsible officers of the campaign finance entity that received a public contribution are
11 jointly and severally personally liable civilly and criminally for repaying to the Comptroller
12 any part of a public contribution that is not spent or that was spent in violation of
13 subsection (a) of this section.

14 15–111.

15 (a) (1) Subject to § 15–103 of this title, the State Board shall administer this
16 title.

17 (2) The State Board may request the assistance of the Comptroller to
18 administer this title.

19 (b) (1) The State Board shall adopt comprehensive regulations to implement
20 this title.

21 (2) The regulations shall include provisions relating to:

22 (i) the deadline for [a gubernatorial ticket] **AN ELIGIBLE**
23 **CANDIDATE** to submit a request for a public contribution;

24 (ii) the dates when the State Board will authorize, and the
25 Comptroller will make, distributions of public contributions to [gubernatorial tickets]
26 **ELIGIBLE CANDIDATES** in accordance with this title;

27 (iii) a proportionate distribution when there is not, or may not be,
28 sufficient money in the Fund;

29 (iv) thresholds for in-kind contributions that are not considered
30 contributions or expenditures for the purposes of this title;

31 (v) distributions to a write-in [gubernatorial ticket] **ELIGIBLE**
32 **CANDIDATE**; and

1 (vi) the purposes for which a public contribution may not be used.
2 15–113.

3 (b) (1) This subsection applies only to violations committed, as applicable, by:

4 (i) the eligible [gubernatorial ticket] CANDIDATE;

5 (ii) the eligible [gubernatorial ticket's] CANDIDATE'S campaign
6 finance entity;

7 (iii) the chairman of the eligible [gubernatorial ticket's]
8 CANDIDATE'S campaign finance entity;

9 (iv) the treasurer of the eligible [gubernatorial ticket's]
10 CANDIDATE'S campaign finance entity; or

11 (v) a person acting on behalf of a person listed in item (i), (ii), (iii), or
12 (iv) of this paragraph.

13 (2) The State Board may impose a civil penalty in accordance with this
14 section for the following violations:

15 (i) making a disbursement in a manner not authorized under §
16 13–218(b)(2), (c), and (d) of this article;

17 (ii) failure to maintain a campaign bank account as required under
18 § 13–220(a) of this article;

19 (iii) making a disbursement by a method not authorized under §
20 13–220(d) of this article;

21 (iv) failure to maintain detailed and accurate account books and
22 records as required under § 13–221 of this article;

23 (v) fund-raising during the General Assembly session in a manner
24 not authorized in § 13–235 of this article;

25 (vi) failure to report all contributions received and expenditures
26 made as required in § 13–304(b) of this article;

27 (vii) failure to include an authority line on campaign material as
28 required in § 13–401 of this article; or

29 (viii) failure to retain a copy of campaign material as required in §
30 13–403 of this article.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 January 1, 2027.